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Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea

Note verbale dated 13 November 2006 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Japan to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit to the Council a report pursuant to operative paragraph 11 of the said resolution (see annex).

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Annex to the note verbale dated 13 November 2006 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

Report to the Security Council with regard to the implementation of paragraph 8 of United Nations Security Council Resolution 1718 (2006)

1. Japan's Basic Position

The position of Japan on the claimed nuclear test by the DPRK is clearly expressed in the statement by H.E. Mr. Shinzo Abe, Prime Minister, of 9 October 2006. In his remarks, the Prime Minister stressed that the announcement of a nuclear test by the DPRK constituted a grave threat to the peace and security of neighboring countries, including Japan, and of the international community as a whole, beyond the Northeast Asian region and it would not be tolerated at all. As described below, The Government of Japan has established and is vigorously undertaking necessary measures to implement United Nations Security Council resolution 1718 (2006).

The resolution is very significant, insofar as it sends out a strong message on behalf of the international community condemning the claimed nuclear test by the DPRK and stipulates measures to be taken by the DPRK and other Member States of the United Nations. Ensuring its early and full implementation is extremely important. In this context, Japan stresses the importance for Member States to coordinate their measures as much as possible to ensure the effective implementation of the resolution and is prepared to cooperate with other Member States to this end. Japan also intends to cooperate closely with the Committee of the Security Council established pursuant to paragraph 12 of the resolution 1718 and to contribute to the Committee's work by providing constructive support.

2. Recent measures taken by the Government of Japan with regard to the DPRK

The Government of Japan has taken measures as outlined below,

in response to the DPRK's actions including the recent missile launches and the claimed nuclear test as well as its inaction regarding cases of abductions of Japanese nationals. The Government of Japan has already fulfilled most of the requirements of paragraph 8 of the resolution 1718 through these measures including implementation of United Nations Security Council resolution 1695 as outlined below.

(1) Announced on July 5, 2006

- Ban on entry into Japanese ports by DPRK-flagged cargo-passenger ship *Man Gyong Bong 92*
- Ban, in principle, on entry by DPRK officials into Japan
- Ban, in principle, on visits by GoJ officials to the DPRK
- Ban on chartered flights between Japan and the DPRK

(2) Announced on September 19, 2006

- Prevention of the transfer of financial resources to or by fifteen entities and one individual considered to be involved in DPRK's WMD and missile programs, in order to implement measures required under the United Nations Security Council resolution 1695

(1) Kohas AG
(2) Korea International Chemical Joint Venture Company
(3) Korea Kwangsong Trading Corporation
(4) Korea Complex Equipment Import Corporation
(5) Korea Tonghae Shipping Company
(6) Korea Pugang Trading Corporation
(7) Korea Mining Development Trading Corporation (KOMID)
(8) Korea Ryonha Machinery Joint Venture Corporation
(9) Korea Ryonbong General Corporation (KRGC)
(10) Korea Ryongwang Trading Corporation
(11) Tanchon Commercial Bank
(12) Tosong Technology Trading Corporation
(13) Pyongyang Informatics Centre
(14) Hesong Trading Corporation
(15) Ponghwa Hospital
(16) Jakob Steiger

(3) Announced on October 11, 2006

- Ban on entry into Japanese ports by all DPRK flagged vessels
- Ban on all imports from the DPRK and payments for imports from the DPRK
- Ban, in principle, on entry by all DPRK people into Japan

3. Measures with regard to paragraph 8 of resolution 1718

The measures taken by the Government of Japan with regard to paragraph 8 of the resolution 1718, based on the work of the Committee to date, are as follows:

3-1 Paragraph 8 (a)

The Government of Japan has taken, in accordance with the Foreign Exchange and Foreign Trade Law (Law No. 228 of 1948), and regulations established under said law, the Law such as the Export Trade Control Order (Cabinet Order No. 378 of 1949) (for goods) and the Foreign Exchange Order (Cabinet Order No. 260 of 1980) (for technologies), the necessary measures to prevent the transfer of all items covered in paragraph 8, subparagraphs (a) (i) and (a) (ii) to the DPRK.

Under these measures, exportation to the DPRK of all items covered in paragraph 8, subparagraphs (a) (i) and (a) (ii) is subject to licensing by the Minister for Economy, Trade and Industry. Such licenses will not be granted.

With regard to luxury goods, the Government of Japan has amended the Export Trade Control Order in order to place the export of luxury goods to the DPRK under the Government's export control regime. The list of the luxury goods is attached as the Annex to this report.

3-2 Paragraph 8 (b)

The Government of Japan has taken, in accordance with the Foreign Exchange and Foreign Trade Law, necessary measures to prohibit the procurement from the DPRK of items covered in paragraph 8, subparagraphs (a) (i) and (a) (ii) of the resolution.

Under these measures, importation of all items covered in paragraph 8, subparagraphs (a) (i) and (a) (ii) from the DPRK are subject to approval by the Minister for Economy, Trade and Industry. Intermediary trade transactions of goods originating from or loaded in the DPRK also are subject to licensing by the Minister for Economy, Trade and Industry. Such approval and licenses will not be granted.

3-3 Paragraph 8 (c)

The Government of Japan has taken, in accordance with the Foreign Exchange and Foreign Trade Law, necessary measures to prevent service transactions to the DPRK related to the items in paragraph 8, subparagraphs (a) (i) and (a) (ii) of the resolution.

Under these measures, service transactions related to controlled goods to the DPRK are subject to licensing by the Minister for Economy, Trade and Industry. Such licenses will not be granted.

3-4 Paragraph 8 (d)

The Government of Japan has already taken necessary measures to prevent the transfer of financial resources to or by the fifteen entities and one individual considered to be involved in DPRK's WMD and missile programs in accordance with the United Nations Security Council resolution 1695. At the time of this report, the Committee has yet to designate the persons or entities in accordance with paragraph 8 (d) of the resolution 1718. The Government of Japan is prepared to extend, upon such designation and in accordance with the Foreign Exchange and Foreign Trade Law, the scope of the prevention measures to the

persons or entities designated by the Committee.

3-5 Paragraph 8 (e)

At the time of this report, the Committee has yet to designate the persons or entities in accordance with paragraph 8 (e) of the resolution. The Government of Japan is prepared to take, upon such designation and in accordance with the Immigration Control and Refugee Recognition Act, appropriate measures to prevent the entry into or transit through its territory of the persons designated by the Committee.

In addition to the above, all DPRK's people, in principle, are not permitted to enter into Japan.

3-6 Paragraph 8 (f)

The competent authorities of the Government of Japan have taken, in accordance with their own authorities and relevant legislation, necessary measures to take cooperative action, including through inspection of cargo, in order to ensure the compliance with the requirements of paragraph 8 of the resolution.

The Government of Japan will consider further measures for cooperative action as appropriate in close coordination with other Member States.

ANNEX

List of the Luxury Goods

The luxury goods as outlined below had been included in the Government's export control regime through the Export Trade Control Order (Cabinet Order No. 378 of 1949) in order to implement the requirements of paragraph 8, subparagraph (a) (iii) of the regulation 1718. For details, please refer to the Export Trade Control Order and relevant notices issued by the Minister for Economy, Trade and Industry.

1. Beef
2. Fillets of tunas
3. Caviar and caviar substitutes
4. Alcoholic beverages
5. Tobacco
6. Perfumes
7. Makeup
8. Leather bags, clothes and others
9. Fur skins and artificial fur manufactures
10. Carpets
11. Drinking glasses of lead crystal
12. Jewelry
13. Precious metals
14. Precious metalwork
15. Portable information devices
16. Audio-visual instruments and software
17. Motor Cars
18. Motor cycles
19. Motorboats, yachts and others
20. Camera and cinematographic instruments
21. Wrist-watches and other watches
22. Musical instruments
23. Fountain pens
24. Works of art, collectors' pieces and antiques